

REMARKS

Claims 1-4 and 6-8 are pending in this application. Claim 7 remains withdrawn as non-elected.

The Examiner rejected Claim 1 under 35 USC §112, second paragraph as being indefinite due to the term "if appropriate." While neither agreeing nor disagreeing with the Examiner, and solely to advance the prosecution of the present application, Claim 1 has been amended to delete the term "if appropriate" as suggested by the Examiner.

In view of the above amendments, Applicant requests the withdrawal of the rejection of claim 1 under 35 U.S.C. 112.

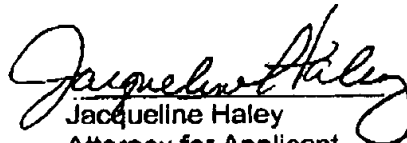
Applicant submits that claims 1-4, 6 and 8 are now in condition for allowance. Applicant respectfully requests rejoinder of non-elected Claim 7 and early and favorable issuance of a Notice of Allowability.

As this response is submitted within three months from the mailing date of the Office Action, no additional fees are believed necessary.

However, in the event the undersigned is mistaken in her calculations, an appropriate extension of time to respond is respectfully requested, and the Commissioner is authorized to debit the appropriate fee for that extension, or any other fee, from the deposit account of the undersigned, No. 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

Syngenta Crop Protection, Inc.
Patent and Trademark Dept.
410 Swing Road
Greensboro, NC 27409
(336) 632-7547


Jacqueline Haley
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Reg. No. 41,457

Date: November 4, 2004

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